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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/933,582	08/20/2001	Mohammad Torabi	LUTZ 2 00405	5639
48116	7590	04/23/2007	EXAMINER	
FAY SHARPE/LUCENT 1100 SUPERIOR AVE SEVENTH FLOOR CLEVELAND, OH 44114			BATURAY, ALICIA	
			ART UNIT	PAPER NUMBER
			2155	
			MAIL DATE	DELIVERY MODE
			04/23/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

**Advisory Action  
Before the Filing of an Appeal Brief**

Application No.

09/933,582

Applicant(s)

TORABI, MOHAMMAD

Examiner

Alicia Baturay

Art Unit

2155

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 09 April 2007 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.  
b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**NOTICE OF APPEAL**

2. ☐ The Notice of Appeal was filed on \_\_\_\_\_. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

**AMENDMENTS**

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because  
(a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);  
(b) ☐ They raise the issue of new matter (see NOTE below);  
(c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or  
(d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: \_\_\_\_\_. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).  
5. ☐ Applicant's reply has overcome the following rejection(s): \_\_\_\_\_.  
6. ☐ Newly proposed or amended claim(s) \_\_\_\_\_ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).  
7. ☒ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.  
The status of the claim(s) is (or will be) as follows:  
Claim(s) allowed: None.  
Claim(s) objected to: None.  
Claim(s) rejected: 1-22.  
Claim(s) withdrawn from consideration: None.

**AFFIDAVIT OR OTHER EVIDENCE**

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).  
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing of good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).  
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

**REQUEST FOR RECONSIDERATION/OTHER**

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:  
See Continuation Sheet.  
12. ☐ Note the attached Information Disclosure Statement(s). (PTO/88/08) Paper No(s). \_\_\_\_\_.  
13. ☐ Other: \_\_\_\_\_.

  
SALEH NAJJAR  
SUPERVISORY PATENT EXAMINER

Continuation of 11. does NOT place the application in condition for allowance because:

Applicant Argues: Filo does not disclose or suggest virtual reality user equipment that is operative to receive virtual reality data representing an actual physical place or environment.

In Response: The examiner respectfully submits that Filo teaches at least one virtual reality environment user equipment (VUE) operative to capture and transmit (The executive user is further provided with a radio and modem that is linked to the wearable computer and that is effective to transmit updated changes in voice and position data via the network to the personal computers of all the other users in attendance in the virtual environment - see Filo, col. 7, lines 26-30) real-world video and audio data (The computer terminal apparatus for the executive level participant includes: a wearable computer...position tracking means for correlating changes in hand and head movements of the executive level user to the executive level user's assigned avatar in the virtual work environment; audio input/output means for transmitting and receiving voice data to and from the virtual work environment - see Filo, col. 3, lines 2-37 and col. 6, line 63 - col. 7, line 12) and to display received virtual reality data representing an actual physical environment (A novel virtual reality environment that emulates today's physical military command post...The VCP is a simulation of an actual command post, with all of the instruments and familiar surroundings emulated in function if not form- see Filo, col. 2, lines 45-61). This renders the rejection proper, and thus the rejection stands.

Applicant Argues: The Office Action does not identify a system element of Filo that the Office considers to be analogous to the virtual reality environment core system. The Office Action does not identify an element of the system of Filo that the Office considers to be analogous to at least two virtual reality environment subscriber databases, one having a relatively local location and another having a relatively remote location.

In Response: The examiner respectfully submits that Filo teaches at least one virtual reality environment core system (VCS) (The VCP allows remote and dispersed staff to meet instantly, without delay...a plurality of real world users may participate and collaborate in the VCP), wherein: the core system is in communication with at least two virtual reality environment subscriber databases (VSD), one of which has a relatively local location (the local VCP represents a local network for the depicted participants - see Filo, Fig. 1, element 10) and at least one of which has a relatively remote location (remote VCPs - see Filo, col. 6, lines 12-52). This renders the rejection proper, and thus the rejection stands.

Applicant Argues: Filo does not disclose or suggest a virtual reality environment episode manager (VEME) which is in communication with at least one virtual reality core system and is operative to forward the virtual reality data representing the environment to at least one VUE and receive the real world video and audio data from the at least one VUE, thereby facilitating a virtual reality episode.

In Response: The examiner respectfully submits that Filo teaches a virtual reality episode manager (VEME) which is in communication with at least one virtual reality environment core system and is operative to forward the virtual reality data representing the environment to the at least one VUE (The VCP allows remote and dispersed staff to meet instantly, without delay...a plurality of real world users may participate and collaborate in the VCP... the local VCP represents a local network for the depicted participants...a single local VCP controls the flow of processed information - see Filo, Fig. 1, element 10; col. 6, lines 12-51) and receive the real-world video and audio data from the at least one VUE, thereby facilitating a virtual reality episode (The executive user is further provided with a radio and modem that is linked to the wearable computer and that is effective to transmit updated changes in voice and position data via the network to the personal computers of all the other users in attendance in the virtual environment - see Filo, col. 7, lines 26-30). This renders the rejection proper, and thus the rejection stands.